UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/787,306	02/27/2004	Ariei Peled	27459	4342

67801   7590   12/03/2008
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EXAMINER
WORKU, NEGUSSIE

ART UNIT	PAPER NUMBER
2625	

MAIL DATE	DELIVERY MODE
12/03/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _28 February 2003_.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-33 and 43_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-33 and 42_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on _28 February 2002_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _08/01/08; 04/03/05_.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____ .

DETAILED ACTION

Response to the election/restriction

1.   Applicant's election of Group I, claims 1-33 and 42, in replay filed on 08/29/08

are acknowledge. Because applicant did not distinctly and specifically point out the

supposed errors in the restriction requirement, the election has been treated as an

election without traverse (MPEP 818-103(a).

Information Disclosure Statement

2.   The information disclosure statement (IDS) submitted on 08/01/08 and 04/05/05

has been reviewed. The submission is in compliance with the provisions of 37

CFR 1.97. Accordingly, the examiner is considering the information disclosure

statement.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.   Claims 1-15, 18-32 and 42 are rejected under 35 U.S.C. 102(b) as being

anticipated by Hardy et al. (USP 5,917,896).

With respect to claim 1, Hardy '896' discloses a method for enforcing a distribution policy with respect to information transmitted from a sending fax machine to a recipient fax machine as fax traffic, (as shown in fig 1 through 3, s method of and a system for monitoring facsimile transmissions between two fax machine, see abstract) the method comprising: defining an information distribution policy with respect to said fax traffic (fax monitor 25 of fig 1B, monitors the traffic passing back and forth between machines 15 and 17, col.3, lines 16-25); monitoring the fax traffic in accordance with said distribution policy, (fax monitor 25 of fig 1B, monitors fax traffic passing back and forth between machines 15 and 17, based on setup rule or program, such as quality or priority or protocol status, and like [i.e., distribution policy], col.3, lines 16-30); said monitoring comprising: demodulating said fax traffic being monitored into a digital stream (modem 47 of fig 2, is adapted to convert signals received at receive terminal 51 to receive data bit stream, col.4, lines 15-20); reconstructing from said digital stream a graphic image representing at least part of the information within said fax traffic, (two serial bit streams containing data for display in the X-axis and Y-axis constellation plot that is (i.e., graphic image representing at least part of the information within said fax traffic) col.4, line 20-35); and analyzing information within said reconstructed image, and applying said distribution policy with respect to said analyzed fax traffic, (controller 49 of fig 2, facilitate a suit-able condition, such as protocol status and fax contents from fax protocol data receiver 59 stored in a data content buffer 69, which also communicated with controller 49, apply transmission policy (i.e., a program) with respect to fax traffic. Col.4, lines 40-50).

With respect to claim 2, Hardy '896' discloses a method (as shown in fig 2-4) further comprising: initially forwarding said fax traffic from a sending fax device to a an intermediate fax modem attached to a digital storage device (forwarding facsimile 15, initiate transmission to the sending fax machine 17, via modem 47 of fig 2, which is connected to buffer 69 of fig 2); applying said monitoring to said fax traffic stored at said digital storage device, and sending the information as fax in accordance with said distribution policy from said digital storage device to a recipient fax device, (controller 49 of fig 2, facilitate a suit-able condition, such as protocol status and fax contents from fax protocol data receiver 59 stored in a data content buffer 69, which also communicated with controller 49, apply transmission policy (i.e., a program) with respect to fax traffic. col.4, lines 40-50).

With respect to claim 3, Hardy '896' discloses a method (as shown in fig 2), wherein said applying said distribution policy comprises applying said distribution policy according to the results of said analyzing information within said reconstructed image, (controller 49 of fig 2, facilitate a suit-able condition, such as protocol status and fax contents from fax protocol data receiver 59 stored in a data content buffer 69, which also communicated with controller 49, apply transmission policy (i.e., a program) with respect to fax traffic. col.4, lines 41-48).

With respect to claim 4, Hardy '896' discloses a method, wherein said analyzing information within said reconstructed image comprising performing optical character recognition over the fax data, (controller 49 of fig 2, facilitate a suit-able condition, such as protocol status and fax contents from fax protocol data receiver 59 stored in a data content buffer 69, which also communicated with controller 49, apply transmission policy (i.e., a program) with respect to fax traffic. col.4, lines 39-51).

With respect to claim 5, Hardy '896' discloses a method, (as shown in fig 2), wherein said analyzing information within said reconstructed image further comprising identification of the source of the faxed document (controller 75 of fig 2, determine the identification of the source [i.e., data sent form originating fax machine].

With respect to claim 6, Hardy '896' discloses a method (as shown in fig 1), wherein said analyzing information within said reconstructed image further comprises identification of key-words or key phrases within the fax message (controller 75 of fig 2, determine the identification of the source [i.e., data sent form originating fax machine].

With respect to claim 7, Hardy '896' discloses a method, (as shown in fig 1) wherein said applying of said pre-defined policy comprises adding forensic information to said document, (controller 75 of fig 2, determine the identification of the source [i.e., data sent form originating fax machine].

With respect to claim 8, Hardy '896' discloses, a method (as shown in fig 2) wherein said policy comprises determining at least one of the following: the set of authorized recipients, and the required action (controller 75 of fig 2, determine or set the authorized recipients identification of the source [i.e., data sent form originating fax machine].

With respect to claim 9, Hardy '896' discloses a method, wherein said policy comprises at least one of the following: blocking said transmission (terminating fax, and displaying protocol information is some of the transmission policy, see a abstract; logging a record of a fax transmission event and its details, and reporting about said fax transmission event and its details according to a pre-defined policy, (controller 75 of fig 2, determine or set the authorized recipients identification of the source [i.e., data sent form originating fax machine] detecting includes telephone number of the terminating fax, see abstract).

With respect to claim 10, Hardy '896' discloses a method 9as shown in fig 2 and 3), wherein said applying said policy comprises blocking the transmission to unauthorized recipients (blocking un registered receiver in the facsimile system is inherent).

With respect to claim 11, Hardy '896' discloses a method, (as shown in fig 2 and 3) wherein said blocking is applied according to said recipient's phone-numbers.

(blocking applied according to recipients phone number in the facsimile system is

inherent).

With respect to claim 12, Hardy '896' discloses a method, (as shown in fig 2-4)

wherein identifying said recipient's phone-numbers comprises transforming said

recipient's phone-number to a Domain-Name Server address (75 of fig 2, stores

recipients phone-number, col.4, lines 51- 53).

With respect to claim 13, Hardy '896' discloses a method (as shown in fig 2),

wherein said logged record comprises the sender, the recipients and the identity of said

faxed document, (col.4, lines 49-55).

With respect to claim 14, Hardy '896' discloses a method, (as shown in fig 2)

wherein said monitoring said fax traffic effected by said distribution policy comprises

eavesdropping on said fax traffic (fax monitor 25 of fig 1B).

With respect to claim 15, Hardy '896' disclose a method (as shown in fig 2)

wherein said distribution policy comprises putting a marker on fax messages, said

marker allowing automatic identification or classification of the fax and its content,

(controller 75 of fig 2, determine or set the authorized recipients identification of the

source [i.e., data sent form originating fax machine] detecting includes telephone

number of the terminating fax, see abstract).

With respect to claim 18, Hardy '896' discloses a method (as shown in fig 2),

wherein said embedding of said details in a substantially imperceptible manner is robust

to fax encoding and to attempts to deliberately remove said encoding, (modem 47 of fig

2, is adapted to convert signals received at receive terminal 51 to receive data bit

stream, col.4, lines 15-20).

With respect to claim 19 and 20, Hardy '896' discloses a method (as shown in fig

2), wherein said distribution policy comprises encrypting at least part of the faxed

message, and a cryptographic key for decrypting said encrypted message is sent via

another channel (work station 27 of fig 2, sending the data file maybe encrypt the

message using encryption methods, such as commercially available known algorithm

provided by RSA, and known to those, and also modem 47 of fig 2, is adapted to

convert signals received at receive terminal 51 to receive data bit stream, col.4, lines

15-20).

With respect to claim 21, Hardy '896' discloses a method (as shown in fig 2),

wherein said policy comprises sending the fax directly to a voice mailbox of a recipient

(transmitting fax 15 and receiving fax device 17, operating via telephone line 21 and 19,

which are having voice mailbox is inherent).

With respect to claim 22, Hardy '896' discloses a method (as shown in fig 2),

wherein said sending fax comprises an analog fax machine (transmitting fax 15 and

receiving fax device 17, are analog fax machine).

With respect to claim 23, Hardy '896' discloses a method (as shown in fig 2), wherein said forwarding said fax traffic to said modem (modem 25 of fig 2, for forwarding fax traffic) comprises: simulating a switch and a receiving fax (modem 65 of 2, for modulation and demodulation received fax); receiving the dialed digits and the sent fax (modem 65 having a function of receiving data and sending a fax); simulating a sending fax, and sending the fax to a modem attached to said digital storage device (data count buffer 69 of fig 2, which attached to modem 67 via controller 75 of fig 2, simulating and sending data between sending fax 15 and receiving fax 17 of fig 1B).

With respect to claim 24, Hardy '896' discloses a method (as shown in fig 2), wherein said switch is simulated using a central-office card (PSTN switch 11 of fig 1B, is simulated).

With respect to claim 25, Hardy '896' discloses a method (as shown in fig 2), wherein said forwarding said fax traffic to said modem comprises forwarding using a hot-line mechanism, (the preferred modem can operate over the public switch telephone network PSTN, which is an equivalent to PBX switch,[i.e., a hot line mechanism] col.4, lines 5-10).

With respect to claim 26, Hardy '896' discloses a method (as shown in fig 2), wherein said hot-line is provided by a local PBX switch or a remote switch, (the preferred mode can operate over the public switch telephone network PSTN, which is an equivalent to PBX switch, col.4, lines 5-10).

With respect to claim 27, Hardy '896' discloses a method (as shown in fig 2), wherein said forwarding occurs before dialing occurs, and said modem receives the dialing directly after an off-hook is received (col.3, lies 54-58)

With respect to claim 28, Hardy '896' discloses a method (as shown in fig 2), wherein said forwarding said fax traffic to said intermediate fax modem (modem 65 of fig 2, forwarding message), comprises: instructing the fax users to dial a specific number, said number corresponding to the extension number of said modem, instructing the fax users to pause after dialing said specific number and then to dial the intended recipient fax number (col.3, lies 60-65, see abstract).

With respect to claim 39, Hardy '896' discloses a method (as shown in fig 2), wherein said fax is sent using said intended recipient fax number dialed by the user (in a facsimile transmitting system it is inherent to communicate to intended recipient fax number dialed by the user).

With respect to claim 30, Hardy '896' discloses a method (as shown in fig 2) wherein said method is applied within said sending fax device utilizing dedicated hardware for said monitoring, (a bridgeable fax monitor 25 of fig 1,a dedicated hardware is a means for monitoring facsimile transmission, see abstract).

With respect to claim 31, Hardy '896' discloses a, method and a system (as shown in fig 1 through 3) wherein said applying said distribution policy is done using a central computer (personal computer 27 of fig 2) with respect to a plurality of fax machines or fax servers, (a method of and a system for monitoring facsimile transmissions between two fax machine, see abstract).

With respect to claim 32, Hardy '896' discloses a method for enforcing a distribution policy with respect to information transmitted from a sending fax machine to a recipient fax machine, (as shown in fig 1 through 3, a method of and a system for monitoring facsimile transmissions between two fax machine, see abstract) applied to enforce an overall organizations distribution policy in conjunction with enforcement over other additional electronic distribution channels, (a personal computer work station 27 of fig 2, able to have additional distribution channels such as e-mail, col.3, lines 10-15).

With respect to claim 33, Hardy '896' discloses a method for enforcing a distribution policy with respect to information transmitted from a sending fax machine to a recipient fax machine as fax traffic, (as shown in fig 1 through 3, s method of and a

system for monitoring facsimile transmissions between two fax machine, see abstract),

wherein said additional electronic distribution channels comprise e-mail (a personal

computer work station 27 of fig 2, able to have additional distribution channels such as

e-mail, col.3, lines 10-15).

With respect to claim 42, Hardy '896' discloses a method for enforcing a

distribution policy with respect to information transmitted from a sending fax machine to

a recipient fax machine as fax traffic, (as shown in fig 1 through 3, s method of and a

system for monitoring facsimile transmissions between two fax machine, see abstract)

the method comprising: defining an information distribution policy with respect to said

fax traffic (fax monitor 25 of fig 1B, monitors the traffic passing back and forth between

machines 15 and 17, col.3, lines 16-25); monitoring the fax traffic in accordance with

said distribution policy, (fax monitor 25 of fig 1B, controls fax traffic passing back and

forth between machines 15 and 17, based on setup rule or program, such as quality or

priority or protocol status, and like [i.e., distribution policy], col.3, lines 16-30); said

monitoring comprising: demodulating said fax traffic being monitored into a digital

stream (modem 47 of fig 2, is adapted to convert signals received at receive terminal 51

to receive data bit stream, col.4, lines 15-20); reconstructing from said digital stream a

graphic image representing at least part of the information within said fax traffic, (two

serial bit streams containing data for display in the X-axis and Y-axis constellation plot

that is (i.e., graphic image representing at least part of the information within said fax

traffic) col.4, line 20-35); and analyzing information within said reconstructed image, and

applying said distribution policy with respect to said analyzed fax traffic, (controller 49 of

fig 2, facilitate a suit-able condition, such as protocol status and fax contents from fax

protocol data receiver 59 stored in a data content buffer 69, which also communicated

with controller 49, apply transmission policy (i.e., a program) with respect to fax traffic.

Col.4, lines 40-50).

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Hardy et al. USP 5,917,896, in view of Feder (USP 5,872,845).

        As to claim 16 and 17, Hardy '896' dose not teach the claimed limitation as

applied in claims 1 and 41, except for a method, wherein said distribution policy

comprises embedding details of a sender on the sent message.

        Feder '845' in the same area of fax communication system teaches a method,

wherein said distribution policy comprises embedding details of a sender on the sent

message (col.10, 46-55).

        Therefore, it would have been obvious to a person with ordinary skill in the art at

the time the invention was made to have modified communication device of Hardy '896'

by the teaching of Feder '845' for the purpose of obtaining a perfect final image,

transmission and communication for all the data to be transmitted, and it should be clear

to one skilled in the art that anyone of a wide variety communication devices can be

similarly employed to accomplish this desired result without depending from the

teaching of the present invention.

Conclusion

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to NEGUSSIE WORKU whose telephone number is

(571)272-7472. The examiner can normally be reached on 9A-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Negussie Worku/

Primary Examiner, Art Unit 2625